

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 11, 1990

ALL COUNTY LETTER NO. 90-46

TO: ALL COUNTY WELFARE DIRECTORS

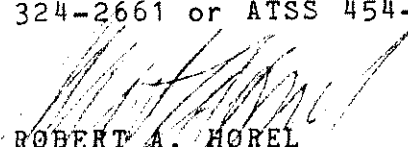
SUBJECT: TREATMENT OF AGENT ORANGE SETTLEMENT PAYMENTS IN THE
AFDC PROGRAMREFERENCE: MPP SECTION 44-111.1 - PAYMENTS EXCLUDED FROM
CONSIDERATION AS INCOME
MPP SECTION 44-340 - UNDERPAYMENTS
ACL 90-25, DATED MARCH 1, 1990

The purpose of this letter is to inform counties of a recent instruction received from the Department of Health and Human Services via Federal Action Transmittal Number FSA-AT-90-6 dated April 11, 1990, regarding the treatment of Agent Orange payments.

Public Law (P.L.) 101-201, enacted December 6, 1989, specifies that none of the payments made from the Agent Orange Settlement Fund or any other fund established pursuant to the Agent Orange product liability litigation shall be considered income or resources in determining eligibility for or the amount of benefits under any Federal or Federally assisted program. This provision is effective on January 1, 1989.

Therefore, County Welfare Departments (CWD) must disregard all Agent Orange Settlement payments as income and resources in the determination of eligibility and grant entitlement under the AFDC program. In addition, pursuant to MPP Section 44-340, CWDs must correct any underpayments to the Assistance Unit if the CWD discovers that aid was denied, terminated, or reduced due to the receipt of Agent Orange Payments on or after January 1, 1989. State regulations will be promulgated to implement this new law as soon as administratively feasible.

If you have any questions, please contact Sandra Poole-Taylor of the AFDC and Food Stamp Policy Implementation Bureau at (916) 324-2661 or ATSS 454-2661.


ROBERT A. HOREL
Deputy Director

cc: CWDA